

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 2000-99

July 18, 2000

BANGOR HYDRO-ELECTRIC COMPANY  
Request for Waiver of Requirements of  
Chapters 305, 322 and 323

ORDER EXTENDING  
WAIVERS

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

---

**I. SUMMARY**

In this Order, we extend Bangor-Hydro Electric's (BHE) waivers of certain provisions of Chapters 305 and 323 of our rules.

**II. BACKGROUND**

On February 2, 2000, BHE filed a request for waivers from several provisions of our restructuring rules. These requests resulted from BHE's inability to utilize certain billing functionalities when retail access began on March 1, 2000. Specifically, BHE requested waivers from the following provisions of our rules:

- Chapter 305 § 4(H)(1) and (4): Generation Service Bill Contents
- Chapter 323: Use of Electronic Data Interchange (EDI)

BHE stated its expectation that it would no longer need the waivers after mid-year 2000.

On March 1, 2000, we granted BHE's request, stating that the waivers were unavoidable and temporary in nature. We stated that the waivers would be effective until June 30, 2000.

On June 14, 2000, BHE filed for an extension of the waivers, stating that it needs additional time to complete the changes to its computer system necessary for compliance with Commission rules. BHE requested an extension of the generation bill content requirements until September 30, 2000 and the EDI requirements until December 31, 2000. Subsequently, BHE orally amended its bill content extension request until October 31, 2000.

On June 29, 2000, the Public Advocate filed comments expressing concern over BHE's request for a continuation of the waivers. The Public Advocate urged the Commission to grant the EDI extension only through September 30, 2000—the same date originally requested for the Chapter 305 waiver, stating that BHE should make a future request for extension beyond that date if necessary.

**III. DECISION**

As requested by BHE, the waiver of the generation bill content requirements is extended until October 31, 2000 and the waiver of the EDI requirements is extended until December 31, 2000. Although we agree with the Public Advocate's concern over the need to continue the waivers, we are reluctant to adopt a process whereby extensions of waivers are continually sought. We adopt BHE's extension dates upon the premise that further extensions will not be necessary.

Dated at Augusta, Maine, this 18th day of July, 2000.

BY ORDER OF THE COMMISSION

---

Raymond J. Robichaud  
Acting Administrative Director

COMMISSIONERS VOTING FOR:      Welch  
   Nugent  
   Diamond

## NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Civil Procedure, Rule 73, et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.